

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-005857

08/27/2012

HONORABLE DANIEL J. KILEY

CLERK OF THE COURT

K. Philpot

Deputy

IN RE THE MATTER OF
ARTHUR L HARDWICK

ARTHUR L HARDWICK
15143 W HIGHLAND AVE
GOODYEAR AZ 85395

AND

KEINESHA T HARDWICK

VERONIKA ANNE BRIGGS BENION

DOCKET-FAMILY COURT CCC
FAMILY COURT SERVICES-CCC

Decree of Dissolution of Marriage

Petitioner/Father Arthur Hardwick and Respondent/Mother Keinesha Hardwick were married on January 28, 2006 in Goodyear, Arizona. They did not have a covenant marriage.

One child was born to the parties: Edgar Robert Hardwick, a boy who was born on December 28, 2007.

Respondent/Mother is not pregnant.

Prior to the filing of the Petition for Dissolution of Marriage, the parties were residents of Maricopa County, Arizona for at least ninety (90) consecutive days.

The marriage is irretrievably broken. There is no reasonable prospect of reconciliation.

The conciliation provisions of A.R.S. § 25-381.09 either do not apply or have been met.

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To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property and, where applicable, support, custody and visitation. Therefore,

IT IS ORDERED that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person effective upon the signing and entry of the Decree of Dissolution of Marriage.

The Court finds that Arizona was the home state of the parties' child at the time of the filing of the Petition for Dissolution of Marriage and that this Court is therefore vested with jurisdiction to make a child custody determination pursuant to A.R.S. § 25-1031(A)(1).

For the reasons stated in the Court's Minute Entry of August 23, 2012,

IT IS ORDERED awarding Petitioner/Father Arthur L. Hardwick and Respondent/Mother Keinesha Hardwick joint legal custody of Edgar Robert Hardwick (DOB: 12/28/2007).

IT IS FURTHER ORDERED that Petitioner/Father shall be entitled to parenting time with the parties' child on an "alternating week" basis as follows: in Week One (the week in which Petitioner/Father is not required to work on Wednesday), Petitioner/Father shall have parenting time from Sunday evening at 6 p.m. until Wednesday at 6 p.m. In Week Two (the week in which Petitioner/Father is required to work on Wednesday), Petitioner/Father shall have parenting time from Sunday at 8 a.m. until Tuesday at 6 p.m.

IT IS FURTHER ORDERED that Petitioner/Father shall be entitled to parenting time on Father's Day every year, from 8 a.m. on Father's Day until 8 a.m. the following day, and Respondent/Mother shall be entitled to parenting time on Mother's Day every year, from 8 a.m. on Mother's Day until 8 a.m. the following day.

IT IS FURTHER ORDERED that, in even-numbered years, Petitioner/Father shall be entitled to holiday parenting time on New Year's Day, the 4th of July, Thanksgiving Day, and Christmas Eve, from 8 a.m. on the day of the holiday until 8 a.m. the following day. Respondent/Mother shall be entitled to such parenting time in odd-numbered years.

IT IS FURTHER ORDERED that, in odd-numbered years, Petitioner/Father shall be entitled to holiday parenting time on Easter, Memorial Day, Labor Day, and Christmas Day, from 8 a.m. on the day of the holiday until 8 a.m. the following day. Respondent/Mother shall be entitled to such parenting time in even-numbered years.

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IT IS FURTHER ORDERED that each party shall be entitled to two non-consecutive weeks of summer vacation parenting time. No later than May 1st of each year, the parties shall exchange the dates on which they propose to exercise their summer vacation parenting time. In the event of a conflict in the parties' proposed dates, Petitioner/Father's proposed dates will have priority in even-numbered years and Respondent/Mother's proposed dates will have priority in odd-numbered years.

IT IS FURTHER ORDERED that, no less than seven days before a party begins summer vacation parenting time, such party shall provide the other party with a written itinerary of the vacation, including contact information for where the child can be reached every day of the vacation.

IT IS FURTHER ORDERED that Respondent/Mother shall be entitled to parenting time at all other times.

IT IS FURTHER ORDERED that, within three weeks of the date of this order, the parties shall confer in an attempt to reach agreement on a Parenting Coordinator. No later than September 21, 2012, the parties shall jointly submit either (1) a stipulation to the appointment of a Parenting Coordinator or (2) a "blind list" consisting of the names of four individuals (two nominated by each party) who may serve as Parenting Coordinator. The Court will then select a Parenting Coordinator from the "blind list." The fees of the Parenting Coordinator shall be paid in proportion to the parties' incomes, subject to reallocation in the event that either party takes an unreasonable position or otherwise causes the other party to incur excessive or unnecessary fees.

For the reasons stated in the Court's Minute Entry of August 23, 2012,

IT IS ORDERED that neither party shall pay spousal maintenance to the other.

For the reasons stated in the Court's Minute Entry of August 23, 2012,

IT IS ORDERED that Petitioner/Father shall pay Respondent/Mother child support of **\$1,095.00** per month effective September 1, 2012 by Income Withholding Order.

IT IS FURTHER ORDERED that Petitioner/Father shall continue to provide health insurance for the parties' child.

IT IS FURTHER ORDERED that each party's share of responsibility for paying medical, dental, or vision care expenses for the benefit of the parties' child that are not covered by insurance, and each party's entitlement to claim the child as a dependent exemption on his or her income tax returns, shall be as set forth on the accompanying Child Support Order.

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IT IS FURTHER ORDERED that, no later than May 1st of each year, each party shall provide to the other a copy of his or her income tax returns, Form 1099's, Form W-2's, and other earnings statements for the preceding year.

IT IS FURTHER ORDERED entering judgment against Petitioner/Father and in favor of Respondent/Mother in the amount of \$7,804.15 plus interest to run at the rate of 10% from the date of this order until paid in full, representing past child support owed for the period from December 1, 2011 through August 31, 2012.

IT IS FURTHER ORDERED setting payment on arrears in the amount of **\$50.00** per month commencing September 1, 2012.

LET THE RECORD REFLECT an Income Withholding Order is initiated electronically by the above-named deputy clerk. Confirmation # 379797.

For the reasons stated in the Court's Minute Entry of August 23, 2012,

IT IS ORDERED confirming the real property located at 9015 West Gibson Lane in Tolleson, Arizona to Respondent/Mother as her sole and separate property. Respondent/Mother shall be solely responsible for any debts associated with that property, and shall indemnify and hold harmless Petitioner/Father from any liability thereon.

IT IS FURTHER ORDERED awarding to Petitioner/Father Arthur Hardwick, as his sole and separate property, the real property located at 15143 West Highland Avenue in Goodyear, Arizona. Petitioner/Father shall be solely responsible for any debt owed in connection with this real property, and shall indemnify and hold harmless Respondent/Mother from any liability thereon.

IT IS FURTHER ORDERED that, within 24 months of the date of this order, Petitioner/Father shall attempt to refinance or otherwise modify the mortgage on the real property located at 15143 West Highland in Goodyear, Arizona to remove Respondent/Mother's name so that Respondent/Mother no longer has any financial responsibility for the property. Respondent/Mother shall cooperate with Petitioner/Father's refinance/loan modification efforts, including by providing information as required.

IT IS FURTHER ORDERED that, if Petitioner/Father is not able to refinance or otherwise modify the mortgage the real property located at 15143 West Highland in Goodyear, Arizona to remove Respondent/Mother's name from the loan within 24 months of the date of this order, either party may petition the Court for the appointment of a Real Estate Commissioner to

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oversee the sale of the house. The proceeds from the sale of the property shall be used to pay all mortgages, loans, taxes, broker's commissions, closing costs, and other fees, expenses, and all other debts due in connection with the property. Any funds left over shall be awarded to Petitioner/Father as his sole and separate property.

IT IS FURTHER ORDERED awarding to Respondent/Mother Keinesha Hardwick, as her sole and separate property, the real property located at 11413 West Cottonwood Lane in Avondale, Arizona. Respondent/Mother shall be solely responsible for any debt owed in connection with this real property, and shall indemnify and hold harmless Petitioner/Father from any liability thereon.

IT IS FURTHER ORDERED that, within 24 months of the date of this order, Respondent/Mother shall attempt to refinance or otherwise modify the mortgage on the real property the real property located at 11413 West Cottonwood Lane in Avondale, Arizona to remove Petitioner/Father's name so that Petitioner/Father no longer has any financial responsibility for the property. Petitioner/Father shall cooperate with Respondent/Mother's refinance/loan modification efforts, including by providing information as required.

IT IS FURTHER ORDERED that, if Respondent/Mother is not able to refinance or otherwise modify the mortgage on the real property located at 11413 West Cottonwood Lane in Avondale, Arizona to remove Petitioner/Father's name from the loan within 24 months of the date of this order, either party may petition the Court for the appointment of a Real Estate Commissioner to oversee the sale of the house. The proceeds from the sale of the property shall be used to pay all mortgages, loans, taxes, broker's commissions, closing costs, and other fees, expenses, and all other debts due in connection with the property. Any funds left over shall be awarded to Respondent/Mother as her sole and separate property.

IT IS FURTHER ORDERED that each party shall be responsible for one-half of any debt or liability that may be owed following the foreclosure of the real property located at North 184th Drive in Waddell, Arizona. Each party shall indemnify and hold harmless the other party from any liability in excess of one-half of any such debt or liability.

IT IS FURTHER ORDERED awarding the 2007 Mercedes to Petitioner/Father as his sole and separate property. Petitioner/Father shall be solely responsible for any debt associated with this vehicle, and shall indemnify and hold harmless Respondent/Mother from any liability thereon.

IT IS FURTHER ORDERED awarding the GMC Terrain to Respondent/Mother as her sole and separate property. Respondent/Mother shall be solely responsible for any debt

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associated with this vehicle, and shall indemnify and hold harmless Petitioner/Father from any liability thereon.

IT IS FURTHER ORDERED awarding the Nissan Frontier to Petitioner/Father as his sole and separate property. Petitioner/Father shall be solely responsible for any debt associated with this vehicle, and shall indemnify and hold harmless Respondent/Mother from any liability thereon.

IT IS FURTHER ORDERED confirming to Respondent/Mother, as her sole and separate property, all of the living room, dining room, and kitchen furniture in the Goodyear home.

IT IS FURTHER ORDERED that, no later than 30 days from the date of this order, the parties shall prepare a “master list” of items of personal property that were acquired during the parties’ marriage, including all such items in the possession of each party. The parties shall then divide these items between them by “alternate pick” method, taking turns selecting one item of personal property from the master list until all items of property have been chosen by one party or the other. Each party shall then cooperate in allowing the other party to take possession of all items of personal property chosen by that party.

IT IS FURTHER ORDERED that Respondent/Mother shall be solely responsible for the Capitol One and Orchard Bank credit card debts incurred in connection with her life coaching business.

IT IS FURTHER ORDERED that the parties shall be equally liable for any income tax debts incurred during the parties’ marriage.

IT IS FURTHER ORDERED that, if either party has incurred any credit card or other debt(s) not identified herein, the party who incurred the debt(s) shall be solely responsible for such debt(s), and shall indemnify and hold harmless the other party from any liability thereon.

IT IS FURTHER ORDERED signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ HONORABLE DANIEL J. KILEY

HONORABLE DANIEL J. KILEY
JUDGE OF THE SUPERIOR COURT

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.